

CHAPTER 84.

[S. B. 14.]

STATE NARCOTIC FARM COLONY.

AN ACT to provide an institution for the confinement, cure, care, and rehabilitation of drug addicts, and providing for the government, maintenance and control thereof, and providing for the admission and commitment of drug addicts thereto, and providing penalties for unlawfully conniving to have persons adjudged drug addicts, and providing penalties for procuring the escape or aiding or abetting the escape of inmates thereof and/or the harboring and concealing of escaped inmates thereof.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The director of business control is hereby authorized and directed to provide a state institution either on property now owned by the state or on property to be acquired for such purpose, said institution to be used for the isolation and rehabilitation of narcotic addicts, which said institution shall be known as the "State Narcotic Farm Colony," and shall be administered as provided by law for the administration of state hospitals for the insane.

"State Narcotic Farm Colony."

SEC. 2. Any person shall be held to be a "drug addict" within the meaning of this act who unlawfully administers to himself or unlawfully has administered to himself by others, any habit-forming narcotic drug. For the purpose of this act the term "habit-forming narcotic drug" means opium and coca leaves and the innumerable alkaloids derived therefrom, the best known of these alkaloids being morphia, heroin, and codeine obtained from opium, and cocaine derived from the coca plant; all compounds, salts, preparations, or other derivatives obtained either from the raw material or from the various alkaloids; Indian hemp, marihuaua and their

Defining "drug addict."

"Habit-forming narcotic drug."

various derivatives, compounds and preparations and peyote in its various forms.

SEC. 3. Whenever it appears by affidavit to the satisfaction of the prosecuting attorney of a county that any person within such county is a drug addict within the meaning of this act, the said prosecuting attorney shall forthwith file in superior court a complaint in writing, duly verified, alleging such fact and the clerk of said court shall issue and deliver to the sheriff or other peace officer for service a warrant directing that such person be arrested and taken before a judge of the superior court for hearing and examination. Such officer shall thereupon arrest and detain such person until a hearing and examination can be had. At the time of the arrest of such person a copy of said complaint and a copy of the warrant of arrest must be made by the arresting officer personally delivered to said person. The court shall hear and determine said matter on said complaint and the proceedings before the court shall be substantially similar to the complaint, arrest and proceedings had wherein charges of insanity are filed against a person and heard in the superior court under existing law. At such hearing the person so accused shall have the right to be represented by counsel and to produce witnesses in his own behalf at public expense. Said hearing shall be in open court and a record thereof shall be kept by the clerk of said court. The person so accused shall have the right to trial by jury in the event that he shall demand the same. After a hearing and examination if the court shall determine that such person is a drug addict, or, if a jury has been demanded, the jury shall so determine, the court shall make an order that such person be confined in said state narcotic farm colony for an indeterminate period, said period to be until such time as in the opinion of the superintendent of said institution the said drug addict shall

Arrest of
addict.

Right to
defend.

Confinement
in colony
for cure.

have recovered from his addiction or in the opinion of the superintendent of said institution there is no probability of such person ever recovering therefrom. Pending such trial or hearing and before the entry of judgment thereon, the court shall make such disposition of such alleged drug addict as may to the court seem fit and proper in the premises.

SEC. 4. At such hearing such person charged with drug addiction and such other witnesses as the court may deem necessary and material, shall be examined under oath for the purpose of determining the financial ability of such person charged with drug addiction, his estate or relatives, to pay the cost and expense of the care, maintenance, board, lodging and clothing of such person charged with drug addiction in the state narcotic farm colony in the event he shall be committed thereto. Findings of fact shall be made by the court relative to the financial ability to pay such costs as above set forth in all cases of commitment and a judgment entered therein against the proper party or estate so found responsible. Every drug addict, his estate or relatives, as above set forth, found to have the financial ability to pay the expenses above enumerated shall pay therefor the sum of \$4.50 per week during the time such drug addict is committed to such state narcotic farm colony, and in addition thereto shall pay the cost of transportation of such drug addict and all court costs. Said charge of \$4.50 per week shall be made to apply in all cases for the entire time such drug addict is confined at such institution. Remittances therefor shall be made to the director of business control in advance on or before the first day of each calendar month during the time such drug addict remains committed. If the court finds that such drug addict, or his estate or relatives have not the financial ability to pay such sum for such purposes, the charges and costs above referred to shall be borne

Financial
investiga-
tion.

Amount
to pay.

by the State of Washington. Relatives shall be liable for the cost and expense of the care and maintenance of such addicts in the following order: first, husband or wife; second, parents; third, children.

Relatives
liable.

SEC. 5. Any person committed to such institution under the provisions of this act may be paroled or discharged at any time after admission thereto by the superintendent of such institution when in the opinion of the superintendent of said institution such person is cured of such drug addiction, which parole or discharge shall be certified by the superintendent of such institution to the clerk of the court from which said person so discharged or paroled has been committed to said institution. In the event that a drug addict shall be paroled from said institution and not financially discharged the superintendent shall have the right to require as a condition of said parole reports from time to time from such drug addict and may require reports of physical examination thereof to be made at the expense of such drug addict by a reputable physician and surgeon licensed to practice his profession at the place where such examination is made, and such other, further and different reasonable requirements of such paroled patient as may in the opinion of the superintendent be necessary and proper, and in the event of a breach of said parole and the requirements thereof said patient may, at the option of the superintendent thereof, be returned to said institution for further treatment.

May be
paroled or
discharged.

Physical ex-
amination.

Breach of
said parole.

SEC. 6. The superintendent of such state narcotic farm colony may accept as patients any persons voluntarily applying for treatment for drug addiction thereto: *Provided, however,* That before such voluntary patient shall be admitted or retained in said institution he shall pay in advance such sum or sums for his care, maintenance, board and lodging as shall be determined by the superintendent of

Voluntary
patients.

the said institution not exceeding however, the actual average cost thereof, and shall sign a statement to the effect that he or she is suffering from drug addiction and desires treatment in the same manner and subject to the same rules and restrictions as if committed by a court and that they submit voluntarily to such treatment and to the discipline of such institution and shall remain therein for such time as the superintendent may deem necessary to either effect a cure or determine there is no reasonable probability of a cure being effected: *Provided, however,* That no person shall be admitted to such institution as a voluntary patient who has not been a resident of this state for a period of two years next preceding application for admission.

State resident two years.

SEC. 7. Witnesses at hearings for the commitment of drug addicts shall be entitled to receive the usual fees allowed by law in the trial of criminal cases and in the event of a drug addict being committed to said institution as provided herein, they shall be transported to said institution and the expenses thereof shall be paid in the same manner as existing law provides for the care and transportation of insane persons to state hospitals for the insane.

Witness fees.

SEC. 8. Pending the building of such institution and the furnishing and equipment of the same for the reception, care and treatment of persons committed under this act, the director of business control shall care for persons committed under this act in existing state institutions in such manner as may to the director of business control seem expedient.

Prior to building an institution.

SEC. 9. Any person not authorized by law who brings into the said institution, or within the grounds thereof, any narcotic drug, or any intoxicating liquor, or any firearms, weapons, or explosives of any kind, shall be guilty of a felony.

Felony.

SEC. 10. Every person who shall knowingly procure the escape of any inmate of the said institution or advise, connive at, aid or assist in such escape, or knowingly conceal and/or connive at, advise, aid or assist in the concealment of any such inmate after such escape, shall be guilty of a gross misdemeanor.

Gross misdemeanor.

SEC. 11. Every person who shall knowingly advise, connive at, conspire, aid or assists in having or attempting to have, any person adjudged a drug addict under this act unlawfully or improperly, shall be guilty of a gross misdemeanor.

Gross misdemeanor.

SEC. 12. The invalidity of any part of this act shall not be construed to affect the validity of any other part capable of having practical operation and effect without such invalid part thereof.

Partial invalidity.

Passed the Senate February 12, 1935.

Passed the House March 7, 1935.

Approved by the Governor March 20, 1935.

CHAPTER 85.

[S. B. 99.]

VOTING MACHINES.

AN ACT relating to the custody, testing and preparing of voting machines, and amending section 5309 of Remington's Compiled Statutes.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 5309, Remington's Compiled Statutes be amended to read as follows:

Amend
§ 5309, Rem.
Comp. Stat.

Section 5309. The county auditor of a county, the clerk of a city, or other district in which voting machines are to be used shall cause same to be properly prepared therefor; and for that purpose shall employ for such time as is necessary one or more competent persons who shall be known as the voting

Voting
machines
prepared.